

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHIQUITA FRESH,

No. C-11-06683 DMR

Plaintiff(s),

**ORDER TO RE-FILE REDACTED  
INVOICES**

v.

GREENE TRANSPORT,

Defendant(s).

On September 20, 2013, this court ordered Plaintiff to lodge unredacted copies of the invoices presented in Plaintiff's Request for Judicial Notice in Support of Motion for Breach of Contract Damages [Docket No. 75] with the court for in camera review. [Docket No. 87.] The court advised Plaintiff that if the redactions to the invoices are not narrowly tailored to their claims of privilege, Plaintiff may be required to redo the redactions and re-file the invoices.

Upon review, it appears that Plaintiff's redactions are not narrowly tailored to their claims of privilege, e.g., nearly all of the billing entries from a November 20, 2011 invoice from the Fisher, Rushmer law firm are redacted. Plaintiff is therefore ordered to redo the redactions to Docket No. 75 and re-file the redacted invoices by **Monday, September 30, 2013**. The redactions should be narrowly tailored to the claims of privilege such that Defendants can still determine the general nature of the task performed. For example, only the bracketed selections should be redacted from the following sample billing entries: "Receive and review [X, Y, and Z documents]"; "Attend case

1 strategy conference [regarding X, Y, and Z]”; “Research Florida case law on various issues, include  
2 [X, Y, and Z subject matters]”; “Receive and review suit correspondence and answer from defense  
3 counsel.” Plaintiff is advised that its costs associated with reviewing, redacting, and re-filing the  
4 invoices may not be included in Plaintiff’s request for contract damages.

5 The court believes it is unlikely that additional briefing on Plaintiff’s motion for breach of  
6 contract damages is necessary in light of the edited redactions ordered by this court. However, if  
7 Defendants believe supplemental briefing is necessary, they must file a short letter requesting and  
8 explaining the need for supplemental briefing, with specific examples from the re-filed redactions,  
9 by **Wednesday, October 2, 2013**. The court will then consider the letter and, if appropriate, issue  
10 an order and schedule for supplemental briefing.

11 IT IS SO ORDERED.

12 Dated: September 24, 2013



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14 DONNA M. RYU  
United States Magistrate Judge